

February 18, 2005

Secretary Mike Chrisman
The Resources Agency
1416 Ninth St. Suite 1311
Sacramento, CA 95814

Dear Secretary Chrisman:

Thank you for the opportunity to join the CEQA Improvement Advisory Group, and to share some perspectives on CEQA from experience at the municipal, regional, and state agency levels.

Let me suggest first that an exclusive focus on housing development projects may be less useful than it appears. The success of infill housing depends on comprehensive changes to local land use and economic patterns. For example, streamlining CEQA for a condominium project but not for adjacent retail, service, entertainment, public facility, and job-generating uses will limit the impact of reform. We have arrived at the present crisis not because housing has become more important than the environment, but because our housing need and sprawl challenges have focused our microscope on more fundamental problems with the underlying costs and benefits of CEQA.

For projects where the lead agency is a city or county:

- 1) Focus the scope of CEQA on matters of state-level concern, such as water supply, air quality, regional transportation, agricultural land, habitat, energy, and cultural resources. On the other hand, the state has no interest in neighborhood traffic, parking, noise, local parks and public safety, aesthetic, and fiscal impacts, except when there are significant external negative impacts on jurisdictions other than the lead agency. Some impacts of state-level interest, such as wastewater, are regulated directly by the state and should not be a focus of CEQA.
- 2) When population (growth-inducement), traffic, habitat, and air quality impacts are consistent with the regional transportation plan, a regional natural communities conservation plan, and the state implementation plan for the air basin (respectively), then these impacts would not be subject to further CEQA analysis or mitigation at the project or general plan level. When impacts exceed the standards set in the regional plans, a declaration of overriding considerations would require concurrence by the regional agency. Infill should be easier, and uncontrolled sprawl should be more difficult.
- 3) When the housing density of a project is lower than permitted by the general plan and zoning, the sprawl-inducing impact would have to be considered.
- 4) Extend the shelf life of program EIRs on general plans, specific plans, and regional plans.
- 5) Allow for the development of projects governed by form-based zoning codes by conducting all use-based environmental impacts at the general plan level.

Sincerely,

A handwritten signature in black ink, appearing to read "Cory Cabaldon", with a stylized, cursive script.

CHRISTOPHER L. CABALDON
Mayor, City of West Sacramento